

**CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE (CDFA)**  
**CERTIFIED FARMERS' MARKET ADVISORY COMMITTEE (CFMAC)**  
**Meeting Minutes**  
**May 8, 2006**  
**Sacramento, California**

**MEMBERS**

Scott Beylik  
Fred Ellrott  
Russell Hall  
Gene Etheridge  
Doug Hayden  
Joan Taramasso  
Pompea Smith  
Howell Tumlin  
Mary Lou Weiss  
Scott Hudson  
Kurt Floren  
Scott Hudson

**ALTERNATES MEMBERS**

Karen Wetzel Schott, Voting  
Amelia Saltsman, Voting

**Interested Parties**

Dale Whitney, Harbor Area FM

**CDFA**

Rick Jensen  
Steve Patton  
Susan Shelton

**ITEM 1: ROLL CALL**

Gene Etheridge called the Certified Farmers' Market Advisory Committee (CFMAC) meeting to order at 10:01 a.m. Gene led the committee in the pledge of allegiance. Steve Patton called the roll and a quorum was established. Karen Wetzel Schott and Amelia Saltsman were in attendance in place of their committee members, thus were accepted as voting members for this meeting.

**A. INTRODUCTION OF GUESTS**

Introductions of guests were made.

**ITEM 2: APPROVAL OF MARCH 13, 2006 MEETING MINUTES**

Jim Russell requested that the word "or" be added to page 5, under Section 1392.2(u), just prior to the word "flavorings". Joan Taramasso requested that the word "or" be taken out of Section 1392.2(w), just prior to the stricken word "herb".

**MOTION:** Doug Hayden moved to approve the minutes as amended. Mary Lou Weiss seconded. The motion passed unanimously.

**ITEM 3: APPROVAL OF AGENDA**

**MOTION:** Mary Lou Weiss moved to approve the agenda as submitted. Karen Wetzel Schott seconded. The motion passed unanimously.

#### **ITEM 4: CDFA REPORTS – STEVE PATTON**

##### **A. CFM REMITTANCE FEE AND DELINQUENT MARKET REPORTS**

The CFM Remittance Fee Reports as of April 28, 2006 were handed out to the committee members. As of the report date, fees paid in 2005 totaled \$180,442.48. Total paid in the first quarter of 2006 was \$20,675.20.

The Committee asked why the 2006 first quarter numbers were so low in fees paid and number of operational markets. Compared to the other years' first quarters, 2006 showed the lowest numbers. Steve Patton explained that the report was run prior to the end of the quarter. He expects the numbers to rise the next time the report is run.

##### **B. LEGISLATION/REGULATION UPDATE**

Steve Patton stated that amendments to Sections 1392.2(u-y), 1392.4(k), and 1392.9(b-d) have been approved by the committee and supported by CACASA. They are now awaiting the regulation process.

Steve discussed the need to add "valid" to the CPC requirements. He submitted the following for committee approval:

Section 1392.4 Conditions of Direct Marketing.

...

(d) The certified producer's valid embossed photocopy certificate shall accompany the certified agricultural products during transportation and shall be conspicuously posted at the point of sale.

**MOTION:** Jim Russell moved to approve the amendment to Section 1392.4(d). Fred Ellrott seconded. The motion passed unanimously.

The committee was informed that the legislation to extend the Sunset Clause passed through committee on April 26<sup>th</sup> and will be going to the 3<sup>rd</sup> reading.

##### **C. OTHER REPORTS/ANNOUNCEMENTS**

No other reports at this time.

### **ITEM 5: AGRICULTURAL COMMISSIONER'S REPORT**

Kurt Floren gave the committee copies of a letter that was received by Ed Williams, Sacramento County Agricultural Commissioner, from the California Federation of Certified Farmers' Markets (Federation). The Federation believes that the CFM industry needs to move toward a self-regulating and self-funding program. They also stated that further regulation would compound the problems with the industry.

The CFMAC members that belong to the Federation were not aware of this letter. Many expressed that they did not agree with the Federation's position.

### **ITEM 6: CHAIRMAN'S REPORT – GENE ETHERIDGE**

Gene Etheridge informed the committee that he would be attending a meeting with AJ Yates and Valerie Brown of CDFA on May 23, 2006 at 10:00 a.m. He asked the committee to email him with any concerns or issues they would like him to discuss at the meeting.

### **ITEM 7: COMMITTEE REPORTS/BUSINESS**

#### **A. LONG RANGE PLANNING SUBCOMMITTEE – GRETA DUNLAP, CHAIR**

##### ***1. State of CFM Industry Letter & Survey Summaries to Secretary Kawamura***

No report at this time.

#### **B. FINANCE SUBCOMMITTEE – SCOTT BEYLIK, CHAIR**

Scott stated that the subcommittee met on April 27, 2006. Though they did not have a quorum they did discuss the budget and ways to reduce expenses. A copy of the proposed budget was handed out to each committee member. The total budget proposed was \$172,512.

The committee had an in-depth discussion regarding the issue of decreasing spending. Rick Jensen assured the committee that CDFA is not walking away from the committee or the industry. He explained that all the program's time and resources are currently used on new business instead of increasing enforcement of the current program.

Discussions ensued regarding prioritizing, refocusing objectives, the original intent of the Farmers' Market Program, etc. It was suggested that the committee limit meetings to one or two per year and curtail subcommittee meetings as much as possible. Steve Patton brought up the issue of continuing regulations and the

time necessary to complete those regulations. Also suggested was that the Program Supervisor spend more time on enforcement training.

**MOTION:** Jim Russell moved to approve the budget of \$172,512. Scott Hudson seconded. The motion passed unanimously.

C. MARKET STANDARDS/MANAGER CERTIFICATION SUBCOMMITTEE –  
HOWELL TUMLIN, CHAIR

Howell Tumlin explained that the subcommittee met on April 13, 2006. They proposed the following change to regulation:

Amend Section 1392.2(a) – Certified Farmers' Market.

A location approved by the county agricultural commissioner of that county where agricultural products are sold by producers directly to consumers. A certified farmers' market may only be operated by one or more certified producers, by a nonprofit organization, or by a local government agency. Said operator is legally and financially liable and responsible in all aspects of operating the certified farmers' market, including regulatory compliance requirements.

**MOTION:** On behalf of the subcommittee, Howell Tumlin moved to approve the amendment to Section 1392.2(a). Jim Russell seconded. The motion passed unanimously.

Howell explained that the subcommittee would be meeting again in a few weeks to discuss proposed changes to Section 1392.2(n) regarding the definition of a nonprofit organization.

D. ENFORCEMENT/MATRIX SUBCOMMITTEE – SCOTT HUDSON, CHAIR

*1. Recommend Regulation Proposal for Direct Marketing Administrative Penalty Matrix Guidelines*

This was distributed to the Agricultural Commissioners at their last meeting.

*2. Recommend Regulation Proposal to Clarify Certified Producer Certificate Requirements*

Kurt Floren stated that he would run this by CACASA's subcommittee.

E. NON-CERTIFIABLE AGRICULTURAL PRODUCTS SUBCOMMITTEE – JIM RUSSELL, CHAIR

Jim Russell reiterated that CACASA supported the amendments to Sections 1392.2(u-y), 1392.4(k), and 1392.9(b-d). The subcommittee will next look at the Farmstead Food Act.

F. POLICY AND PROCEDURES SUBCOMMITTEE – HOWELL TUMLIN, CHAIR

No report at this time.

G. CACASA/CFMAC COORDINATION SUBCOMMITTEE – SCOTT HUDSON, CHAIR

No report at this time.

H. MARKETING/EDUCATION SUBCOMMITTEE – GRETA DUNLAP, CHAIR

No report at this time.

**ITEM 8: NEW BUSINESS – DISCUSSION ONLY**

No new business was discussed.

**ITEM 9: MEMBER ROUNDTABLE DISCUSSION – GENE ETHERIDGE**

Gene Etheridge stated that the committee should explore having pre-committee workshops/subcommittee meetings in the morning of the day the full committee meets.

Dale Whitney supports standardized load lists and certificates. He suggested that the committee meet for multiple days and complete all work in a two- or three-day session.

Fred Ellrott stated that the funding aspect of the program needs to be addressed. He suggested that all committee members begin talking to the industry about this issue.

Amelia Saltsman expressed her concern about losing the subcommittee meetings. She stated they are crucial to keep up a good working dialog.

Rusty suggested that the Farmstead information should be taken to Valerie Brown directly. As the first step in the process, Joan Taramasso suggested posting an Internet blog to get a dialog started.

Scott Hudson stated that some amount of regulation work is necessary. Though he feels it needs to mesh better with an increased enforcement program.

Kurt Floren expressed his approval of the meeting and stated that it was an honest, open discussion.

**ITEM 10: NEXT MEETING**

The next meeting has been scheduled for October 2, 2006 in Sacramento.

**ITEM 11: BALANCE OF 2006 MEETINGS**

It was decided that the committee would meet twice a year, once in the Fall and once in the Spring. Fred Ellrott suggested that the meeting always be held in Sacramento in order to save the travel costs for CDFA employees.

**ITEM 12: ADJOURNMENT**

The Committee adjourned at p.m.

Respectfully submitted by:

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Steve Patton, Interim Supervisor  
Certified Farmers' Market Program  
Inspection and Compliance Branch